

19473. Misbranding of canned crabmeat. U. S. v. 19 Cases * * *. (F. D. C. No. 33643. Sample No. 41925-L.)

LIBEL FILED: August 14, 1952, District of Hawaii.

ALLEGED SHIPMENT: On or about July 31, 1952, by United Grocers, Ltd., from San Francisco, Calif.

PRODUCT: 19 cases, each containing 24 7 $\frac{3}{4}$ -ounce cans, of crabmeat at Hawaii, T. H.

LABEL, IN PART: "Wave King Brand Packed Fresh Dungeness Fancy Crabmeat * * * Packed by Hallmark Fisheries Coos Bay Charleston, Oregon."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label designation "Fancy" was false and misleading since the article was not fancy because of its discoloration.

DISPOSITION: November 14, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for its use and not for sale.

19474. Adulteration and misbranding of oysters. U. S. v. 254 Cans, etc. (F. D. C. No. 34079. Sample Nos. 57335-L, 57336-L.)

LIBEL FILED: September 26, 1952, Northern District of Ohio.

ALLEGED SHIPMENT: On or about September 23, 1952, by the McNasby Oyster Co., from Annapolis, Md.

PRODUCT: 368 cans of oysters at Cleveland, Ohio.

LABEL, IN PART: "Fres-Shore * * * Oysters Standards [or "Selects"] One Pint."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), water had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the oysters and mixed and packed with them so as to increase their bulk or weight and reduce their quality.

Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents. (The article was short of the declared volume.)

DISPOSITION: October 3, 1952. The shipper and consignee having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the oysters be disposed of either by delivery to a charitable institution or by destruction. Because of the condition of the oysters, they were destroyed.

19475. Adulteration of canned shrimp. U. S. v. Pelican Oyster & Fish Co. Plea of nolo contendere. Fine, \$200. (F. D. C. No. 33804. Sample No. 22221-L.)

INFORMATION FILED: September 17, 1952, Eastern District of Louisiana, against the Pelican Oyster & Fish Co., a partnership, New Orleans, La.

ALLEGED SHIPMENT: On or about January 18, 1952, from the State of Louisiana into the State of Alabama.

LABEL, IN PART: (Can) "Frostie Brand Medium Wet Pack Shrimp."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in part of a decomposed substance by reason of the presence of decomposed shrimp.